3 (3)

BEFORE THE M.P. STATE ADMINISTRATIVE TRIBUNAL BENCH RAIPUR

O.A. NO._____/2002

APPLICANT : Fagua Ram Punacha
Son of Shri F.S. Punacha
Head Master
Primary School, Silhati
Block - Sahaspur Lohara
Distt. Kawardha

VERSUS

NON-APPLICANT :

1. State of Chhattisgarh
through the Secretary
Department of School Education
D.K.S. Bhavan
Raipur (C.G.)

2. The Commissioner
School Education
Govt. of Chhattisgarh
D.K.S. Bhavan, Raipur (C.G.)

3. District Education Officer
Distt. Kawardha

4. Principal
Govt. High School
Silhati, Block - Sahaspurlohara
Distt. Kawardha

ORIGINAL APPLICATION UNDER SECTION 19 OF THE M.P. STATE ADMINISTRATIVE TRIBUNAL ACT, 1985

(23)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 4145 of 2005

Petitioner : Smt. Sanju Shrivastava

Versus

Respondents : State of Madhya Pradesh (Now Chhattisgarh) & others

W. P.(s) No. 4160 of 2005

Petitioner : Smt. Chameli Verma

Versus

Respondents : State of Madhya Pradesh (Now Chhattisgarh) & others

W. P.(s) No. 4289 of 2005

Petitioner : Smt. Radhika Soni

Versus

Respondents : State of Madhya Pradesh (Now Chhattisgarh) & others

W. P.(s) No. 4679 of 2005

Petitioner : Ravi Kumar Chandel

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 4683 of 2005

Petitioner : Ved Kumari Pali

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 4844 of 2005

Petitioner : Ashok Kumar Pandey

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 4845 of 2005

Petitioner : Fagua Ram Punacha

Versus

Respondents : State Govt. of Chhattisgarh & others

24

W. P. (s) No. 5031 of 2005

Petitioner : Vidyadhar Singh
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 5032 of 2005

Petitioner : Bhimsen Yadu
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 5034 of 2005

Petitioner : R.D. Sahu
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P. (s) No. 5041 of 2005

Petitioner : Narendra Kumar Thakur
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5042 of 2005

Petitioner : Saheb Lal Janghel
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5043 of 2005

Petitioner : Gyansingh Rajput
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5048 of 2005

Petitioner : Bahadur Singh Khushro
Versus
Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5050 of 2005

Petitioner : Govind Nath Shivopashak
Versus

25

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5067 of 2005

Petitioner : Chandramani Chaubey

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5077 of 2005

Petitioner : Ramvilas Sahu

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5109 of 2005

Petitioner : Gajendra Kumar Yadav

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5110 of 2005

Petitioner : Santoshkumar Shrivastava

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5111 of 2005

Petitioner : Radheshyam Verma

Versus

Respondents : State Govt. of Chhattisgarh & others

W. P.(s) No. 5115 of 2005

Petitioner : Pardeshiram Chelak

Versus

Respondents : State Govt. of Chhattisgarh & others

And

W. P.(s) No. 5116 of 2005

Petitioner : Chaindas Sahu

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Manish Sharma, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER
(9th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P.(s) Nos. 4145/2005, 4160/2005, 4289/2005, 4679/2005, 4683/2005, 4844/2005, 4845/2005, 5031/2005, 5032/2005, 5034/2005, 5041/2005, 5042/2005, 5043/2005, 5048/2005, 5050/2005, 5067/2005, 5077/2005, 5109/2005, 5110/2005, 5111/2005, 5115/2005, and 5116/2005 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This

27

Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash